

APPLICANT: Arthur SHELLEY et al

APPL. SERIAL NO.: To Be Assigned

FILING DATE: Herewith

ENTITLED: PROCESS AND APPARATUS FOR USE IN PREPARING
AN AQUEOUS MAGNESIUM BICARBONATE SOLUTION


CERTIFICATE OF EXPRESS MAILING

EXPRESS MAIL MAILING NUMBER: EV 534640735 US

DATE OF DEPOSIT: October 12, 2004

I hereby certify that the attached paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, Box 1450, Alexandria, VA. 22313-1450

Consuelo Henry
(Name of person mailing paper)


(Signature of person mailing paper)

TRANSMIT LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

400100

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

10/511008INTERNATIONAL APPLICATION NO.
PCT/AU03/00417INTERNATIONAL FILING DATE
07 April 2003PRIORITY DATE CLAIMED
05 April 2002 and 19 August 2002

TITLE OF INVENTION

PROCESS AND APPRATUS FOR USE IN PREPARING AN AQUEOUS MAGNESIUM BICARBONATE SOLUTION

APPLICANT(S) FOR DO/EO/US

Arthur SHELLY; Dennis SHELLY and John Russell BECKETT

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Check for \$685; Check for \$996; Information Disclosure Statement; Form PCT/IPEA/409; PCT/RO/101; Demand; PCT Rule 47.1; Petition for Revival; Certificate of Express Mail; *Preliminary Amendment*

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/511008		INTERNATIONAL APPLICATION NO. PCT/AU03/00417		ATTORNEY'S DOCKET NUMBER 400100	
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21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .. \$770.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(l)-(4) \$730.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(l)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY	
				\$	1,110.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(c)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	25 - 20 =	5	x \$18.00	\$	90.00
Independent claims	12 - 3 =	9	x \$86.00	\$	792.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	1,992.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	996.00
SUBTOTAL =				\$	996.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	996.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$	996.00
				Amount to be refunded:	\$
				charged:	\$

a. ☒ A check in the amount of \$ 996.00 to cover the above fees is enclosed.

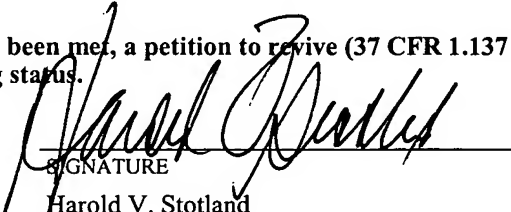
b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-1351. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
 Harold V. Stotland
 Seyfarth Shaw LLP
 55 E. Monroe Street
 Chicago, Illinois 60603
 (312) 346-8000



 SIGNATURE
 Harold V. Stotland

 NAME
 24,492

 REGISTRATION NUMBER